

### **REMARKS**

In the Office Action Summary, in the Status, it is stated that “Responsive to communication(s) filed on 01 January 1960”, which appears to be a typographical error of July 6, 2006. Also, in the Disposition of Claims, it is stated that “Claim(s) 1-62 are pending in the application”, which appears to be a typographical error of Claims 1-60.

### **The Amendments**

Claim 1 is amended to recite that the polymeric sealing layer is “formed from a sealing composition having a specific gravity lower than that of the electrochromic or electrodeposition electrolytic fluid”. The support for this amendment is found in Section III and the original Claims 59 and 60. This also applies to Claim 22.

Claim 42 has been amended to eliminate redundancy.

Claims 53-60 have been cancelled as drawn to non-elected claims.

New Claim 61 is supported by the original Claim 44.

The other amendments are for clarity, correction of spelling errors and proper antecedent basis only. No new matter is introduced in the amendments.

### **35 U.S.C. §103 Rejections**

#### **Claims 1-4**

Claims 1-4 are rejected under 35USC 103(a) as allegedly being unpatentable over Arnoldussen (US Patent No. 4,277,147) in view of Jagt et al (US Patent Publication No. 2006/0066933).

Arnoldussen discloses a display device having reduced electrochromic film dissolution. The Examiner alleges that the “polymer layer 24” of the reference display is the same as the polymeric sealing layer in the display of the present Claim 1. However, Arnoldussen does not disclose or in any way suggest a polymer layer which is formed from a sealing composition having a specific gravity lower than that of the electrolyte paste 30.

Jagt et al disclose an electrochromic display with stacked in cell monochromic electrochromes. The reference does not disclose or suggest a polymeric sealing layer formed

from a sealing composition having a specific gravity lower than that of an electrolytic fluid. Therefore it does not cure the deficiency of Arnoldussen.

Consequently, the rejection of Claim 1 and the claims dependent from Claim 1, based on Arnoldussen and Jagt et al, should be withdrawn.

### **Claims 1-3, 22-25 and 32**

Claims 1-3, 22-25 and 32 are rejected under 35 USC 103(a) as allegedly being unpatentable over Jacobson et al (US Patent Publication No. 2003/0096113) in view of Amigo et al (WO 98/12530).

Both Jacobson et al and Amigo et al, contrary to the Examiner's statement, do not disclose an electrochromic or electrodeposition display. What is disclosed in Jacobson et al and Amigo et al is an electrophoretic display. In an electrochromic or electrodeposition display, the display cells are filled with an electrochromic or electrodeposition fluid whereas in an electrophoretic display, the display cells are filled with an electrophoretic fluid which typically comprises charged pigment particles dispersed in a liquid medium.

The focus of Jacobson et al is the pigment particles in an electrophoretic fluid being nanoparticles. The Examiner acknowledges that Jacobson et al do not disclose a polymeric sealing layer.

The polymeric layer referred to by Amigo et al, however, is entirely different from the polymeric sealing layer in the display of Claim 1 or 22. Amigo et al focus on surface modified electrophoretic chambers. In other words, Amigo et al describe how the surface of an electrophoretic chamber may be modified. The chamber, according to Amigo et al, has at least one region which has a rigid polymeric base material, an anchoring polymeric material interpenetrating the surface of the base material and a polymeric electrophoretic layer which is copolymerized to the anchoring polymeric layer. The polymeric layers referred to in Amigo et al relate to modification of the surface of an electrophoretic chamber. They are not sealing layers to enclose a fluid within the chamber.


Accordingly, the display of Claim 1 or 22 is not obvious and therefore the rejection of Claims 1, 22 and the claims dependent therefrom should be withdrawn.

**CONCLUSION**

Applicants believe that the application is in good and proper condition for allowance.  
Early notification of allowance is earnestly solicited.

Respectfully submitted,

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